

CHAPTER 554

H.B. No. 2749

AN ACT

relating to services and issuance of noncertified papers and other documents by county clerks.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 118.011(a), Local Government Code, is amended to read as follows:

(a) A county clerk shall collect the following fees for services rendered to any person:

- (1) Personal Property Records Filing (Sec. 118.012) \$ 2.00
- (2) Real Property Records Filing (Sec. 118.013):
 - for the first page \$ 3.00
 - for each additional page or part of a page on which there are visible marks of any kind \$ 2.00
 - for all or part of each 8½" X 14" attachment or rider \$ 2.00
 - for each name in excess of five names that has to be indexed in all records in which the document must be indexed \$ 0.25
- (3) Certified Papers (Sec. 118.014):
 - for the clerk's certificate \$ 1.00
 - plus a fee for each page or part of a page of \$ 1.00
- (4) *Noncertified Papers (Sec. 118.0145):*
 - for each page or part of a page \$ 1.00
- (5) Birth or Death Certificate (Sec. 118.015) same as state registrar
- (6) [~~5~~] Bond Approval (Sec. 118.016) \$ 3.00
- [~~6~~] Notary Appointment (Sec. 118.017) \$ 4.00]
- (7) Marriage License (Sec. 118.018) \$25.00
- (8) Declaration of Informal Marriage (Sec. 118.019) \$25.00
- (9) Brand Registration (Sec. 118.020) \$ 5.00
- (10) Oath Administration (Sec. 118.021) \$ 1.00

SECTION 2. Subchapter B, Chapter 118, Local Government Code, is amended by adding Section 118.0145 to read as follows:

Sec. 118.0145. NONCERTIFIED PAPERS. The fee for "Noncertified Papers" under Section 118.011 is for issuing a noncertified copy of each page or part of a page of a document. The fee must be paid at the time the order is placed.

SECTION 3. Section 118.052, Local Government Code, is amended to read as follows:

Sec. 118.052. FEE SCHEDULE. Each clerk of a county court shall collect the following fees for services rendered to any person:

- (1) CIVIL COURT ACTIONS
- (A) Filing of Original Action (Sec. 118.053):
- (i) Garnishment after judgment \$15.00
 - (ii) All others \$40.00
- (B) Filing of Action Other than Original (Sec. 118.054) \$30.00
- (C) Services Rendered After Judgment in Original Action (Sec. 118.0545):
- (i) Abstract of judgment \$ 5.00
 - (ii) Execution, order of sale, writ, or other process \$ 5.00
- (2) PROBATE COURT ACTIONS
- (A) Probate Original Action (Sec. 118.055):
- (i) Probate of a will with independent executor, administration with will attached, administration of an estate, guardianship or receivership of an estate, or muniment of title \$35.00
 - (ii) Community survivors \$20.00
 - (iii) Small estates \$10.00
 - (iv) Affidavits of heirship \$10.00
 - (v) Mental health or chemical dependency services \$40.00
 - (vi) Additional, special fee (Sec. 118.064) \$ 3.00
- (B) Services in Pending Probate Action (Sec. 118.056):
- (i) Filing and recording a document:
 - for the first page \$ 3.00
 - for each additional page or part of a page \$ 2.00
 - (ii) Approving and recording bond \$ 3.00
 - (iii) Administering oath \$ 2.00
- (C) Adverse Probate Action (Sec. 118.057) \$35.00
- (D) Claim Against Estate (Sec. 118.058) \$ 2.00
- (3) OTHER FEES
- (A) Issuing Document [~~Requiring a Return, No Pending Action~~] (Sec. 118.059):
- original document and one copy \$ 4.00
 - each additional set of an original and one copy \$ 4.00
- (B) Certified Papers[~~No Return Required~~] (Sec. 118.060):
- for the clerk's certificate \$ 1.00
 - plus a fee per page or part of a page of \$ 1.00
- (C) *Noncertified Papers* (Sec. 118.0605):
- for each page or part of a page \$ 1.00
- (D) Letters Testamentary, Letter of Guardianship, Letter of Administration, or Abstract of Judgment (Sec. 118.061) \$ 2.00
- (E) [~~D~~] Safekeeping of Wills (Sec. 118.062) \$ 5.00
- (F) [~~E~~] Mail Service of Process (Sec. 118.063) same as sheriff

SECTION 4. Subchapter C, Chapter 118, Local Government Code, is amended by adding Section 118.0605 to read as follows:

Sec. 118.0605. *NONCERTIFIED PAPERS.* (a) *The fee for "Noncertified Papers" under Section 118.052(3) is for issuing a noncertified copy of each page or part of a page of a document.*

(b) *The fee must be paid at the time the order is placed.*

SECTION 5. Section 118.017, Local Government Code, is repealed.

SECTION 6. The changes in law made by this Act apply only to fees that become payable on or after the effective date of this Act. A fee that became payable before the effective date of this Act is governed by the law in effect at the time the fee became payable, and that law remains in effect for that purpose only.

SECTION 7. This Act takes effect September 1, 1993.

SECTION 8. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the

constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 10, 1993, by a non-record vote; passed by the Senate on May 26, 1993: Yeas 30, Nays 0.

Approved June 8, 1993.

Effective Sept. 1, 1993.